

ESTTA Tracking number: **ESTTA233354**

Filing date: **08/28/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92049579
Party	Plaintiff Nutra Marks, Inc.
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Submission	Withdrawal of Cancellation
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Date	08/28/2008
Attachments	MONAVIE.pdf (2 pages)(15578 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NutraMarks, Inc.,)	Cancellation No. 92049579
)	
)	Registration No. 3,049,075
)	
Petitioner,)	Mark: MONARCH HEALTH SCIENCES
)	GIVING FLIGHT TO DREAMS
v.)	(& Design)
)	
MonaVie, LLC,)	
)	
<u>Respondent.</u>)	

WITHDRAWAL AND VOLUNTARY DISMISSAL OF PETITION TO CANCEL

Petitioner Nutramarks, Inc., (hereinafter “Petitioner”), having settled its dispute with Respondent MonaVie, LLC, hereby requests that its Petition to Cancel be withdrawn and that this Cancellation proceeding be voluntarily dismissed with prejudice.

Dated: August 28, 2008.

Respectfully submitted,

By: /s/ Timothy P. Getzoff
Timothy P. Getzoff
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Attorneys for Petitioner
Nutramarks, Inc.

CERTIFICATE OF SERVICE

I certify that on August 28, 2008, I served a copy of the foregoing Withdrawal and Voluntary Dismissal Of Petition to Cancel to the following attorney of record for Respondent's Registration by:

<input checked="" type="checkbox"/>	U.S. Mail, postage prepaid
<input type="checkbox"/>	Hand Delivery
<input type="checkbox"/>	Fax
<input type="checkbox"/>	Email

Graden P. Jackson
Strong & Hanni
3 Triad Center, Suite 500
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/s/ Timothy P. Getzoff